

## **REMARKS**

Claim 1 has been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Claim 20 has been objected to under 35 U.S.C. 112, second paragraph, as being in improper form. Claims 1, 6, 9-10, 12-18 and 20 have been rejected under 35 U.S.C. 102(e) as being anticipated by Jamtgaard (U.S. Patent No. 6,430,624). Claims 7, 8, 11 and 21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard (U.S. Patent No. 6,430,624) in view of Wanderski (U.S. Patent No. 6,519,617).

Applicant traverses these rejections for at least the following reasons.

### **A. Amendment after final**

Entry of this Amendment is respectfully requested on the ground that this Amendment places the application in condition for allowance. Alternatively, entry of this Amendment is respectfully requested on the ground that this amendment places the claims in better form and condition for appeal. Furthermore, Applicant submits that any changes made to the claims herein do not require an additional search on the part of the Office, nor do any amendments made herein raise new issues with regard to the patentability of the claims now pending.

**B. Rejection based on 35 U.S.C. 112, first paragraph**

Claim 1 has been rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Applicant traverses these rejections for at least the following reasons.

35 U.S.C. 112, first paragraph requires,

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention. The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

The present Office Action sets forth a list of items that have been identified as being not described in the specification. The list is as follows.

**1. “and for downloading the content to the requesting user device in a format suitable for the user device”**

Applicant respectfully submits that the “downloading of the content to the requesting user device” relates to the established HTTP technology upon which the world wide web relies. Applicant further submits that the “in a format suitable for the user device” is the subject of the present invention and application.

Support and description for this recitation may be found in the specification

generally. Applicant respectfully submits that the rejection “for downloading the content to the requesting user device in a format suitable for the user device” has been adequately traversed.

**2. “for download to the requesting user device to complete a transaction initiated by the request for content”**

Applicant respectfully submits that this recitation refers to the type of transaction dealing with the fulfillment of a user’s request by for example clicking a link. Applicant respectfully submits that this type of fulfillment is known to those possessing an ordinary skill in the pertinent arts. As recited this element is the downloading a page in fulfillment of a user’s request. Applicant respectfully submits that the present rejection with regard to “for download to the requesting user device to complete a transaction initiated by the request for content” has been adequately traversed.

**3. “presentation tag indicating content presentation attributes”**

Applicant respectfully submits that a presentation tag is the basis for standard web content. These presentation tags indicate the presentation attributes of web content. Applicant respectfully submits that the present rejection with regard to “presentation tag indicating content presentation attributes” has been adequately traversed.

**C. Rejections based on 35 U.S.C. 112, second paragraph**

Claim 20 has been objected to under 35 U.S.C. 112, second paragraph, as being in improper form. Applicant traverses these rejections for at least the following reasons.

35 U.S.C. 112, second paragraph requires,

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Applicant has amended Claim 20 herein to correct the multiple dependency issue identified by the Examiner in the present Office Action. By so doing Applicant respectfully submits that this objection has been overcome.

**D. Rejections based on 35 U.S.C. 102(e)**

Claims 1, 6, 9-10, 12-18 and 20 have been rejected under 35 U.S.C. 102(e) as being anticipated by Jamtgaard (U.S. Patent No. 6,430,624). Applicant traverses these rejections for at least the following reasons.

35 U.S.C. 102(e) recites:

A person shall be entitled to a patent unless - (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent.

Anticipation under 35 U.S.C. § 102 requires the cited art teach every aspect of the claimed invention. See, *M.P.E.P. §706.02(a)*. In other words, "a claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." See, *M.P.E.P. §2131 citing Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Claim 1 recites,

An e-business mobility platform comprising:  
a request handler interface for communicating with a user device to receive a request for content and for downloading the content to the requesting user device in a format suitable for the user device;  
a content interface for communicating with a content server to retrieve requested content;  
a transformation engine for dynamically transforming content received from the content server in real time to a suitable format for the user device, and for routing the transformed content to the request handler interface for download to the requesting user device to complete a transaction initiated by the request for content, the transformation engine performing said transformation according to:  
**intention tags which are in the content and which capture non-presentation properties of the content as intended by an author**, including indicating relationships between blocks of content to be preserved in the transformed content,  
task tags which are in the content and which indicate blocks of the content which are optional or alternative for user device types, and  
presentation tags indicating content presentation attributes; and  
the transformation engine converts the content to a document object model (DOM) in which nodes correspond to document tags, and transforms the document object model by parsing tags indicating blocks of content and deciding on transformation on a block-by-block basis according to the task and intention tags.

*Emphasis Added.*

The present Office Action recites that Jamtgaard teaches a transformation for dynamically transforming content. *Office Action* @ 5. Applicant respectfully submits that, in fact, Jamtgaard transforms un-annotated web content. *Jamtgaard generally*. This transformation of un-annotated web content of Jamtgaard is contrary to the content of the present application, wherein the present invention requires the inclusion of special tags to capture the intentions of the author, and only content with these authored annotations is appropriate for the claimed transformation process. Claim 1 recites “intention tags which are in the content and which capture non-presentation properties of the content as intended by an author.” Specifically, Jamtgaard accepts any input format, and has no dependency on, or use for, special annotations. See *Jamtgaard, Col. 4, lines 10-12*. Applicant, thus, respectfully submits that the annotation driven transformations of the present invention are distinct from the types of transformations described by Jamtgaard.

Further, the present Office Action suggests that Jamtgaard teaches relationships between blocks and preserves those relationships. *Office Action* @ 5. Claim 1 recites “relationships between blocks of content.” Applicant respectfully submits that the portions of Jamtgaard cited are to a XSLT script – a program. *Jamtgaard, Col. 11, lines 50-61*. Applicant respectfully submits that this XSLT script is not content. Further, applicant submits that the only relationships between blocks in Jamtgaard are nesting relationships, i.e. a tag within another

tag. Applicant respectfully submits that there is no such limitation in the present invention. Applicant, thus, respectfully submits that the intention tag indicating relationship between blocks of content to be preserved in the transformed content.

Further, the present Office Action recites portions of Jamtgaard for “task tags which are in the content” as recited in Claim 1. In particular, the present action cites to Jamtgaard at Col. 11, lines 2-3. Applicant respectfully submits that this recited portion is not directed, nor does it teach, anything related to task tag in content as claimed in Claim 1. Further, Applicant respectfully submits that task tags are added to the content to indicate what the author wants to have happen to the tagged content during adaptation. Applicant respectfully submits that Jamtgaard takes ordinary web content as input, and does not provide an opportunity for the author to add any extra tags. In this regard, Applicant respectfully submits that Jamtgaard does not teach the use of task tags as contemplated in and claimed in the present invention.

Further, because Jamtgaard does not contemplate the concept of task and intention tags, as discussed hereinabove, Applicant respectfully submits that Jamtgaard does not teach any process involved in the treatment of such tags. The present claim 1 recites a transformation engine that cannot be taught by Jamtgaard given that Jamtgaard does not teach the use of such tags.

Applicant therefore submits that Jamtgaard fails to teach at least the annotation driven transformations of the present invention, as they are distinct from the types of transformations described by Jamtgaard, the intention tag indicating relationship between blocks of content to be preserved in the

transformed content, the use of task tags as contemplated in and claimed in the present invention, and because Jamtgaard does not contemplate the concept of task and intention tags, as discussed hereinabove, Jamtgaard, further, does not teach any process involved in the treatment of such tags.

Wherefore, Applicant respectfully submits the cited reference fails to teach or suggest at least each of the limitations of Claim 1, and hence fails to anticipate it. Accordingly, Applicant respectfully requests reconsideration and removal of at least this rejection to Claim 1.

Applicant respectfully submits that Claims 6, 9-10, 12-18 and 20 are similarly distinguishable over the presently cited art, at least by virtue of these claims' ultimate dependency upon a patentable base claim, namely Claim 1.

Further, Applicant respectfully submits that Claims 7, 8 and 11 are similarly distinguishable over the presently cited art, at least by virtue of these claims' ultimate dependency upon a patentable base claim, namely Claim 1.

#### **E. Rejections based on 35 U.S.C. 103(a)**

Claims 7, 8, 11 and 21 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Jamtgaard (U.S. Patent No. 6,430,624) in view of Wanderski (U.S. Patent No. 6,519,617). Applicant traverses these rejections for at least the following reasons.

35 U.S.C. §103(a) recites:

[a] patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). *MPEP 706.02(j)*.

Claim 21 recites,

An e-business mobility platform comprising:  
a request handler interface for communicating with a user device to receive a request for content and for downloading the content to the requesting user device in a format suitable for the user device;  
a content interface for communicating with a content server to retrieve requested content;  
a transformation engine for dynamically transforming content received from the content server in real time to a suitable format for the user device, and

for routing the transformed content to the request handler interface for download to the requesting user device to complete a transaction initiated by the request for content, the transformation engine performing said transformation according to:

intention tags which are in the content and which capture non-presentation properties of the content as intended by the author, including indicating relationships between blocks of content to be preserved in the transformed content,

task tags which are in the content and which indicate blocks of the content which are optional or alternative for user device types, and

presentation tags indicating content presentation attributes; and

the transformation engine converts the content to a document object model in which nodes correspond to document tags, and transforms the document object model by parsing tags indicating blocks of content and deciding on transformation on a block-by-block basis according to the task and intention tags;

wherein the transformation engine maintains continuity of a session if the user device changes during the transaction by changing a session parameter identifying the user type in a database;

wherein the transformation engine identifies the type of content requested and subsequently identifies a set of data and content manipulation providers and a sequence for applying the providers to complete the transaction; and

wherein cache providers of the transformation engine access and store intermediate data as it passes from one content manipulation provider to a next content manipulation provider.

Applicant respectfully submits that the deficiencies in the teaching of Jamtgaard discussed above with respect to Claim 1, are the same deficiencies in the use of Jamtgaard as a reference in the rejection of Claim 21. Applicant respectfully submits that these deficiencies are not remedied by the inclusion of Wanderski, nor does the present Office Action recite to Wanderski for support.

The present Office Action does recite to Wanderski for the claim element directed to a “transformation engine … by changing a session parameter.” Wanderski is cited to as teaching this changing session parameter. The portion of Wanderski, specifically Col. 11, lines 5-18, relied upon teaches transforming tables to lists or removing images. In fact these teachings have nothing to do with session parameters. As such, Applicant respectfully submits that the combination of Wanderski and Jamtgaard fail to teach a “transformation engine … by changing a session parameter.”

Further, Applicant notes that the present Office Action recites that Jamtgaard fails to teach the continuity and store intermediate data as it passes to provider. *Office Action @ 11.* Applicant respectfully submits that this admission, with which Applicant agrees, is contrary to the point in the Office Action in rejecting Claim 1 at paragraph 8, wherein it is set forth that “Jamtgaard further discloses … wherein at least one provider comprises means for caching reusable intermediate data captured from a stream of content being transformed, and at least one other provider comprises means for using cached data. *Office Action @ 6-7.* Applicant respectfully requests a correction in the citation of the teaching of Jamtgaard, and with the present response a removal of Jamtgaard as a reference.

Applicant respectfully submits that Claim 21 is similarly distinguishable over the presently cited art, for at least the reasons set forth with respect to Claim 1 and additionally for those reasons set forth above.

Further, as set forth above, Applicant respectfully submits that Claims 7, 8 and 11 are similarly distinguishable over the presently cited art, at least by virtue of these claims' ultimate dependency upon a patentable base claim, namely Claim 1.

## **CONCLUSION**

Wherefore, Applicant believes he has addressed all outstanding grounds raised by Examiner and respectfully submits that the present case is in condition for allowance, early notification of which is earnestly solicited.

Should there be any questions or outstanding matters, Examiner is cordially invited and requested to contact Applicant's undersigned attorney at his number listed below.

Respectfully Submitted,

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